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**From:** CN=Karen Schwinn/OU=R9/O=USEPA/C=US  
**Sent:** Fri 12/17/2010 4:44:24 PM  
**Subject:** 12/16/10 clips re: BDCP  
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[http://blogs.kqed.org/climatewatch/2010/12/15/californians-who-rely-on-delta-at-severe-risk/?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+kqed%2FClimat](http://blogs.kqed.org/climatewatch/2010/12/15/californians-who-rely-on-delta-at-severe-risk/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+kqed%2FClimat)  
<http://www.sacbee.com/2010/12/16/3261116/state-faces-pivotal-point-in-water.html>  
[Ann Hayden](#)  
[Gary Bobker](#)  
[flow determinations](#)  
[water reform legislation signed in Nov. 2009](#)  
[Barry Nelson](#)  
[Kim Delfino](#)

for your perusal, here's a set of news articles covering Wednesday's release of State and Federal status reports on the BDCP . If you only read one, I suggest Contra Costa Times. Plus DOI's Op-Ed. And at the end, I pasted in a PR issued by the enviros, who are quite unhappy with all this. - KS

December 16, 2010

Underground tunnels proposed for Calif. water woes  
L.A. Daily News

California urges tunnel system for delta  
L.A. Times

Delta plan gets a nod from federal government  
Contra Costa Times

California \$13 Billion Water Tunnel Gets Federal, State Support  
S.F. Chronicle

Californians Who Rely on Delta at "Severe Risk"  
KQED

State faces pivotal point in water future  
Sacramento Bee

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Underground tunnels proposed for Calif. water woes  
L.A. Daily News (Associated Press)-12/15/10

Federal and state officials threw their support Wednesday behind the construction of two underground tunnels as the best option for restoring California's freshwater delta and meeting the needs of farmers

and Southern California cities.

The diversion of water from the Sacramento-San Joaquin Delta to croplands and urban areas has furthered the decline of the largest estuary in the West. Officials are trying to find a solution that would reduce the ecological stress on the delta without harming the state's agricultural economy.

Under the plan, two tunnels that are 33-feet in diameter and 150 feet below the surface would deliver water from north of the delta to the south. Water users would pay the tab, an estimated \$13 billion. The tunnels would take about 10 years to construct.

The plan drew immediate protests from environmental groups, who said it doesn't include specific goals that would measure success in protecting salmon and other endangered species. They also said it failed to contain measures that would lead people to conserve water.

The delta, where the state's major rivers drain from the northern and central Sierra Nevada, is the hub of California's water supply. Both the state and federal government run massive pumps that siphon drinking and irrigation water to more than 25 million Californians and the Central Valley farms that grow much of the nation's fruits and vegetables.

The Bay Delta Conservation Plan is a federal and state initiative that would determine a framework for dealing with the declining health of the delta, as well as the increasing demand for its water. One of the leading players in the negotiations, the Westlands Water District, pulled out of negotiations a few weeks ago.

The announcement seemed designed to give stakeholders and the public a sense of progress.

"The status quo is not acceptable. The status quo will only result in a continuing and endless cycle of conflict, litigation and paralysis," Secretary of Interior Ken Salazar said during a conference call summarizing the plan to reporters.

Salazar and other officials also said they still considered Westlands a part of the planning process.

"This is the only game in town, and we're hopeful they'll be full and robust participants as we move forward," Salazar said.

Officials said the key elements to the plan were restoring tens of thousands of acres of marshland and floodplains, and developing a new system of moving water around the delta.

In recent years, court decisions aimed at protecting endangered fish have restricted water deliveries from the delta and have spelled major losses for growers in the state's farm belt who rely on the delta's water to irrigate their crops.

The Kern County Water Agency called the plan an important development in coming up with a strategy for restoring the delta.

Agency officials, however, said they were concerned that the proposal leaves open the amount of water supply that the tunnels could provide.

State officials only said that modeling suggests that annual water exports would be more reliable and greater than current exports.#

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California urges tunnel system for delta

L.A. Times-12/16/10

By Bettina Boxall

State officials Wednesday recommended construction of a \$13-billion tunnel system that would carry water under the troubled Sacramento-San Joaquin River Delta to southbound aqueducts, a project that would replumb a perpetual bottleneck in California's vast water delivery network.

The proposal is far from final. It faces a new administration, lengthy environmental reviews and controversy over how much water should be exported from the Northern California estuary system that serves as a conduit for water shipments to Southern California and the San Joaquin Valley. The earliest completion date would be 2022.

The tunnel plan is a variation of an idea that has been around for decades. Voters in 1982 killed a proposal to route water around the delta in a canal. But talk of a bypass has resurfaced as endangered species protections in recent years have forced cutbacks in pumping from the south delta.

Some water would still be pumped from the south under the new proposal, but the bulk would be drawn from the Sacramento River as it enters the north delta. The water would then be carried by two huge tunnels, 150 feet deep, to the federal and state aqueducts.

Some delta advocates remain staunchly opposed to the concept. But there is growing agreement that changing diversion points could lessen the environmental impacts of pumping and that a tunnel would not be as vulnerable to earthquake damage as a canal bypass or the existing pumping operations.

The project, which would be accompanied by \$3.3-billion worth of habitat restoration over 50 years, is part of an ambitious multi-agency program intended to resolve the conflict that has enveloped the delta for decades.

Reaction to the state recommendations, which the Obama administration generally endorsed, underscored how difficult it may be to achieve a delta truce. Environmental groups assailed the planning report as "flawed, incomplete and disappointing." And the largest irrigation district in California already pulled its support of the plan, suspecting that it would not restore its water supplies.

Of particular contention to environmentalists are the size of the tunnel system and the operating rules that would determine the volume of diversions.

California Natural Resources Secretary Lester Snow said Wednesday that annual delta exports under the project could average 5.4 to 5.9 million acre-feet, more than allowed under current environmental restrictions — and considerably more than environmentalists and some fish biologists say the delta ecosystem can withstand if it is to make any sort of recovery.

Critics said there were too many unsettled issues to make such a projection, and they accused federal and state officials of pandering to the agricultural and urban water agencies that would pay for the tunnel system.

Officials "know the assertions that they're making aren't true," said Gary Bobker of the Bay Institute, one of the environmental groups participating in the delta program. "They know that the amount of water that we're going to be able to export from the delta in the future is probably not going to be the kind of numbers the [plan] is talking about."

Last month, the giant Westlands Water District said it was pulling out of the delta program because it didn't think the project would live up to its promise of restoring delta exports, which had reached record levels before the recent drought and endangered species cutbacks of the last two years.

"We cannot justify the expenditure of billions of dollars for a program that is unlikely to restore our water supply," Westlands General Manager Tom Birmingham said Wednesday.

He added that the state plans and statements by the U.S. Interior Department that the project could increase deliveries were a good sign.

"What Interior said today is encouraging. But whether Westlands reverses its position or decision is going to be determined by what Interior does, as opposed to what it says."#

<http://www.latimes.com/news/local/la-me-water-tunnel-20101216,0,4140245.story>

Delta plan gets a nod from federal government

Contra Costa Times-12/15/10

By Mike Taugher

The Obama administration said Wednesday that it supports plans to build a new aqueduct to deliver Sacramento River water to the south, marking the first time the federal government has endorsed a proposal that has simmered in California for decades.

However, federal officials stopped short of endorsing a massive set of intakes and tunnels that state officials want to build.

With support fraying for an ambitious Delta water supply and ecosystem restoration plan, state and federal officials issued a pair of reports Wednesday intended to shore up support for the beleaguered Bay-Delta Conservation Plan.

"This is the last best hope to deal with these issues in the San Francisco Bay-Delta," Interior Secretary Ken Salazar said. "This is the only game in town."

The state report, issued by the Resources Agency, calls for five intakes and two huge tunnels to carry Sacramento River water from the north Delta to south Delta pumps, a project that is estimated to cost \$13 billion. The tunnels would replace earlier plans to build a peripheral canal around the Delta, a plan that was rejected by voters in 1982 after it was authorized by once and future Gov. Jerry Brown.

The federal report, issued by six federal water supply and environmental regulatory agencies, was less specific and more cautious in assessing what the plan could deliver. However, it said a new water delivery system would help stabilize water supplies and restore the failing Delta ecosystem.

The incoming Brown administration, which will inherit the politically tricky Delta problems, had no comment, spokesman Evan Westrup said.

The fact that two reports were issued instead of one shows that the Obama and Schwarzenegger administrations are not in full agreement on the plan's details.

During a joint conference call with media members, state and federal officials were equally emphatic that the answers to the Delta's problems lie in the Bay-Delta Conservation Plan, which is still an incomplete draft.

"This is the time to build a long-term strategy," Salazar said. "The status quo is unacceptable."

Four years and \$140 million in the making, the Bay-Delta Conservation Plan would include two 33-foot tunnels to deliver water and a large wetlands restoration program in the Delta that supporters say would boost fish populations and eliminate the uncertainty surrounding water supplies that comes when fish are near extinction.

The plan faces a series of challenges. Last month, the Westlands Water District, the nation's largest irrigation district, withdrew support because it said federal regulators were making demands that would decrease the amount of water they could receive.

Although many observers and participants contend that Westlands is likely to rejoin, another major water district with an extensive farm sector said Wednesday that it also would consider withdrawing support if it does not think

enough water will be available.

"We need to know that the yield of the project that is going to be proposed is at a level that is cost-effective for us," said Jim Beck, general manager for the Kern County Water Agency.

Environmentalists, meanwhile, say state and federal officials appear to be bowing to pressure from water agencies and threaten to knock the plan off-balance.

"For them to step out and take positions on issues that are far from resolved could be detrimental to the process. They could slow it down and cause delays," said Ann Hayden, a water policy analyst at the Environmental Defense Fund and a member of the steering committee that is writing the plan.

The estimates put forward so far likely are too high in part because planners have not established goals for recovering fish populations, Hayden said. Dwindling fish populations will likely need more water flowing into San Francisco Bay to recover, she said.

Still, the state report suggested that water districts in the Bay Area, San Joaquin Valley and Southern California could receive 5.4 million to 5.9 million acre-feet a year on average under the plan. The federal report said it appeared that the plan could result in more than 5.2 million acre-feet a year.

That's an improvement over the 4.7 million acre-feet that can be delivered on average with new restrictions in the Delta but less than the 6 million acre-feet a year delivered from 2000 to 2007.

"If it's under 5.9 "... it will require our water users to re-evaluate whether BDCP meets their water supply objectives," Beck said.

The next several months could determine the plan's fate.

"Certainly there's a risk of failure," said Tim Quinn, the executive director of the Association of California Water Agencies and strong supporter of the plan. "What I'm hoping is everybody on both sides is asking themselves the hard question: What happens if we don't find a way?"#

[http://www.contracostatimes.com/news/ci\\_16868146?source=rss](http://www.contracostatimes.com/news/ci_16868146?source=rss)

California \$13 Billion Water Tunnel Gets Federal, State Support  
S.F. Chronicle (Bloomberg)-12/16/10

California is one step closer to getting a \$13 billion "conveyance system" that would carry water from the northern part of the state to a region that grows half the nation's fresh produce, Interior Secretary Kenneth Salazar said.

Salazar's office today released a status report that he said was designed to end years of "conflict, litigation and paralysis" and bring consensus to a project debated for four decades.

The state of California today also issued a report, outlining how a tunnel or canal would bring water from the northern end of San Francisco Bay and Sacramento-San Joaquin Delta to the south where it would provide irrigation for farmers and drinking water to residents.

"After years of drought, growing stress on water supplies, and with the Bay-Delta in full environmental collapse, it has become clear to everyone that the status quo for California's water infrastructure is no longer an option," Salazar said in a statement.

The Delta is a 738,000-acre (298,700-hectare) maze of islands and canals south of Sacramento created by the confluence of two large rivers, according to the state Department of Water Resources. Runoff from the Sierra Nevada Mountains provides water to 25 million Californians, according to the state's report.

Maximizing the water flow for consumers while protecting wildlife habitats has been an issue unresolved for four decades, according to California Secretary of Natural Resources Lester Snow. The state's report summarizes 3,000 pages of research, identifies key issues and makes them easier for citizens to understand, Snow said in a press conference today.

"This is a significant milestone," he said. "We are for the first time within striking distance of a balanced approach."

A tunnel would provide a direct route to Southern California consumers while minimizing interference with the wildlife on the ground, said Pete Lucero, a spokesman for the U.S. Bureau of Reclamation.

Completion of a tunnel, estimated in the state report to cost \$13 billion, may take 10 to 15 years, Mark Cowin, director of the state Department of Water Resources, said at the press conference.

U.S. District Court Judge Oliver Wanger in Fresno ruled on Dec. 14 that the U.S. Fish and Wildlife Service would have to rewrite its plans to protect the Delta smelt, an endangered fish, according to the Fresno Bee.

"This is one court decision," Salazar said in the press conference in response to a question about the case. "If everyone gets wrapped up in litigation there will never be a decision."#

<http://www.sfgate.com/cgi-bin/article.cgi?f=/g/a/2010/12/16/bloomberg1376-LDHQ811A1I4J01-6L3OHI1UD308GQIP85GQ685J7.DTL>

Californians Who Rely on Delta at "Severe Risk"

KQED-12/15/10

by Gretchen Weber

Here's a shocker: Yes, action is necessary on the San Francisco Bay Delta

State and federal authorities provided an update Wednesday on the Bay Delta Conservation Plan (BDCP), which is tasked with restoring the damaged ecosystems of the Sacramento-San Joaquin Delta and safeguarding California's water supply.

"The 25 million Californians who rely on the Delta for clean drinking water are at severe risk," said Secretary of the Interior Ken Salazar, on a call with reporters.

It's well established that the current system of water delivery that shuttles water from north to south through the Delta causes damage to wetlands and threatens native species, as well as leaving the water supply vulnerable to earthquakes and pollution.

"There is now a clear consensus that the status quo is unsustainable," said Senator Dianne Feinstein, in a written statement.

The report released Wednesday focuses on three key elements, which Deputy Secretary David Hayes outlined on the call:

1. Improve water quality and restore the ecosystems
2. Rather than just pumping water through the Delta, water should also be moved around the Delta through an underground tunnel
3. Create a monitoring and adaptive management plan for the Delta, that would allow for flexibility

The 92-page "highlights" report is not a final plan, nor even a draft plan, which is not expected until next year. Instead it is a "status report on the condition of the BDCP" and a "transition document" from the Schwarzenegger-to-Brown administrations, said Lester Snow, head of the California Natural Resources Agency.

Despite its preliminary nature, however, the report has sparked criticism from environmental groups such as the Environmental Defense Fund, The Bay Institute, and the Natural Resources Defense Council, which cite its lack of endangered species protections and a water conservation strategy, among other concerns.

"This plan is not ready for prime time," said Gary Bobker, Program Director at the Bay Institute. "Whether it's the quality of the analysis, or paying attention to the best available scientific information, or facing up to some hard policy choices about the future, the plan simply does not pass the laugh test."#  
[http://blogs.kqed.org/climatewatch/2010/12/15/californians-who-rely-on-delta-at-severe-risk/?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+kqed%2FClimateWatchBlog+%28KQED%27s+Climate+Watch+Blog%29&utm\\_content=Google+Reader](http://blogs.kqed.org/climatewatch/2010/12/15/californians-who-rely-on-delta-at-severe-risk/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+kqed%2FClimateWatchBlog+%28KQED%27s+Climate+Watch+Blog%29&utm_content=Google+Reader)

State faces pivotal point in water future  
Sacramento Bee-12/16/10  
By Ken Salazar and David J. Hayes  
Opinion

California's water hub – the San Francisco Bay-Delta – can no longer do it all. Years of drought, worsening water pollution, rising water demands and the disappearance of wildlife and habitat have left the Bay-Delta in a state of environmental collapse. As a result, a multibillion-dollar agricultural economy, coastal fishing fleets and the 25 million Californians who rely on the Delta for clean drinking water are at severe risk.

This is the deciding moment for California's water future. We can either complete the much-needed long-term California Bay-Delta Conservation Plan on which the Obama administration, Gov. Arnold Schwarzenegger, water users and other partners have made significant progress, or fall back into an endless cycle of conflict, litigation and paralysis.

While the conservation plan is still a work in progress, its essential elements are simple.

First, scientists and policymakers alike have concluded that California's economic and environmental health can no longer tolerate exclusive reliance on a 50-year-old system of pumping water directly through the Delta – a system that reverses river flows, causes direct harm to fisheries, leads to unreliable water supplies and leaves many Californians at risk of losing clean water supplies if there were an earthquake.

Therefore, rather than simply pumping water from north to south through the Sacramento-San Joaquin Delta, there is an emerging consensus that we should reduce pressure on the system by also moving water around the Delta through a water conveyance system, such as a canal or a tunnel.

Second, to help improve water quality and restore the ecosystem to health, the conservation plan calls for the restoration of tens of thousands of acres of marshes, floodplains and riparian habitats in the Delta.

Third, the conservation plan would establish a detailed monitoring and adaptive management plan for the Delta that would allow us to use the most up-to-date science to guide the management of water and environmental resources. We need to be able to adjust the implementation of the plan over time to make the most efficient and effective use of water resources and management tools.

These three essential elements of the Bay-Delta Conservation Plan are the foundation for a long-term water strategy that meets the dual goals of restoring the Bay-Delta ecosystem and securing more reliable water supplies.

Early scientific analysis of the conservation plan offers cause to be optimistic. Preliminary modeling suggests that a new north-south water conveyance facility – as contemplated by the conservation plan – could be operated in a manner that would generate annual water exports over the long term that are more reliable, and greater, than the average annual exports achievable under current conditions.

This is good news for California's economy and environment because it means that with science-based operating criteria and other measures to address fish and habitat needs, a north-south water conveyance facility could be a major step forward in meeting the dual goals of ecosystem restoration and water supply reliability.

Of course, there is much more work to do. Our experts are working in partnership with the state and stakeholders to develop a plan proposal that will meet California's objectives.

Also, at our request, the scientists at the National Academy of Sciences are providing input on what additional scientific analysis needs to occur to ensure the success of the Bay-Delta Conservation Plan.

As we move forward with the next steps, it is vital that we carry forward the momentum that Schwarzenegger, the California Legislature, Sen. Dianne Feinstein and the California congressional delegation and many stakeholders have built for the conservation plan over the past two years.

We can't afford to lose sight of long-term or near-term solutions that benefit all Californians.

To that end, the Obama administration will continue to work closely with all parties to advance the conservation plan, and we will also aggressively pursue immediate actions to make water supplies more secure.

In 2011, for example, we will continue the innovative water augmentation strategies we initiated in 2010 as an additional assurance that adequate supplies will be available from the Central Valley Project. These activities, developed cooperatively with the state and other stakeholders, include more integrated operations with the State Water Project, source shifting with SWP contractors, and additional types of water transfers within the CVP and SWP service areas.

Federal agencies are also working together with state authorities in an unprecedented way to conserve water, improve water quality, address invasive species issues and improve levee integrity.

Taken together, the progress we have made in the last year and the opportunities that lie ahead present an opportunity for California's water future we can't afford to miss. This is the moment – decades in the making – to transform a crisis into a lasting legacy of water security and conservation for the state of California.#

Ken Salazar is the secretary of the U.S. Department of the Interior. David J. Hayes is the deputy secretary of the Department of the Interior.

<http://www.sacbee.com/2010/12/16/3261116/state-faces-pivotal-point-in-water.html>

ENVIRO PRESS RELEASE:

Bay Delta Conservation Plan Has Major Flaws

Conservation Groups Call for Scientific Rigor,  
Partnership with Brown Administration to Improve It

(San Francisco—December 15, 2010) The long-awaited BDCP transition documents from federal and California state agencies to rescue species from the brink of extinction and improve water management in California's endangered San Francisco Bay-Delta was released today. Four leading conservation groups found the transition documents to be deeply flawed, incomplete, and disappointing.

"There is too much at stake in the future of California's water supply and the health of the largest estuary on the West Coast to ignore the major scientific and analytic gaps in this plan," said Ann Hayden, a senior water resource analyst at Environmental Defense Fund and member of the BDCP Steering Committee. "We and many others from different perspectives have invested too many years at the table trying to make this plan work to settle for a draft



that lacks fundamental environmental safeguards and so much more."

"This plan is not ready for primetime," said Gary Bobker, Program Director at the Bay Institute. "Whether it's the quality of the analysis, or paying attention to the best available scientific information, or facing up to some hard policy choices about the future, the plan simply does not pass the laugh test."

Four years in the making, the draft calls for changes in Delta pumping and infrastructure that would increase the amount of water diverted from the already water-deprived Bay-Delta ecosystem. It contradicts the State's own finding – expressed in the State Water Resources Control Board flow determinations in August 2010 – that there is overwhelming scientific evidence that the health of the Bay-Delta's endangered species and habitats require more freshwater flow to San Francisco Bay. It also contradicts the State's own policy – expressed in a package of water reform legislation signed in Nov. 2009 – that water users should cut their dependence on the Bay-Delta and secure alternative water supply sources.

"The State's document represents a missed opportunity, said Barry Nelson, senior water policy analyst at Natural Resources Defense Council. "It doesn't represent an agreement among the state agencies let alone among federal agencies, Congress or the California Legislature. It remains to be seen if this document will be relevant in 2011."

The draft plan is intended to serve as the basis for a 50-year permit under the federal Endangered Species Act and state Natural Communities Conservation Planning Act for the operation of Delta export pumping projects. Unfortunately, it:

1. Fails to include either specific biological goals for the recovery of salmon and other endangered species against which success will be measured, or enforceable assurances that these goals will be achieved;
2. Proposes to construct a \$12 billion-plus canal or tunnel to move water around the Delta without considering measures to aggressively conserve water or secure alternative sources of supply;
3. Ignores the scientific case for flow improvement and export pumping reductions in analyzing potential habitat restoration actions to support species recovery; and
4. One of the more controversial elements of the proposal would allow permits under state and federal environmental laws to be issued directly to agricultural and urban water districts that contract to receive water from the federal Central Valley Project and State Water Project, rather than only to the public agencies that operate those projects. These districts have made it clear that they will only implement a plan that increases the amount of water that is exported from the Delta, and have even threatened to withdraw unless they get these plans met.

"That's like putting the fox in charge of the hen house," said Ann Hayden of EDF. "The last thing the hens should be doing is negotiating with the fox over the conditions for opening the door of the hen house."

Despite being criticized by several independent review panels for these shortcomings, the State has thus far failed to fix the flaws in the plan.

"Setting an unsustainable course for California's water future at the 11th hour of the Schwarzenegger administration just doesn't make sense," said Kim Delfino, California State Director at Defenders of Wildlife. "We'll need to work with the incoming Brown Administration to put the 'conservation' back in the Bay-Delta Conservation Plan and make real progress on a comprehensive solution to restore the largest estuary on the West Coast."

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